PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Rothermel and Williams

Serial No.: 09/782,953

Filed: February 13, 2001

For: METHODS AND COMPOSITIONS RELATING TO MUSCLE SELECTIVE CALCINEURIN INTERACTING PROTEIN (MCIP)

Group Art Unit: 1653

Examiner Samuel W. Liu

Atty. Dkt. No.: MYOG:036US/SLH

CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below.

July 20, 2005
Date

Steven L. Highlander

DECLARATION OF BEVERLY ROTHERMEL AND R. SANDERS WILLIAMS

UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-01450

Dear Sir:

I, Beverly Williams and R. Sanders Williams, do declare the following:

1. We are citizens of the United States. Beverly Rothermel at 1409 Schumac Lane, Bedford, TX 76022 and R. Sanders Williams resides at 2 Piling Place, Durham, NC 27707.

2. R. Sanders Williams currently holds the position of Dean of the Medical School at Duke University. Beverly Rothermel currently holds the position of Assistant Professor at the University of Texas Southwestern Medical Center at Dallas.

3. R. Sanders Williams is the first inventor listed as an inventor in the above-captioned application and Beverly Rothermel is the second inventor listed as an inventor for the same.

4. The subject matter of the rejected claims was conceived prior to the earliest effective date of the cited reference, U.S. Patent 6,673,604. As support of this statement, we have attached hereto a notebook page showing purchase of primers for the amplification of MCIP (then known as DSCR-1), which page is dated prior to July 23, 1999. This page, coupled with the invention disclosure submitted with the Declaration previously on record, demonstrates our conception of the invention prior to the earliest effective date of the '604 patent. Further, there was continuous work on the project from before July 23, 1999 to the time of filing of the instant application, namely February 13, 2001.

5. We hereby declare that all statements made of our awn knowledge are true and all statements made on information are believed to be true and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

7/18/05
Date

Beverly Rothermel

Date

R. Sanders Williams

primers for PCR of HA tagged DSCR1

Run date: 1.
Customer: Ben Rothermel 2.
Run ID: 5' DSCR1
Instrument:
Sequence name: WILLIAMS
Sequence: 5' CCA CTG TGA AAC AGA ATG GTG 3'
Length 21 7 A 6 G 4 C 4 T
Comments: Deliver NB11.208. For PCR off human cDNA
Tm: 52.3 °C 47.6 % G+C
Cycle: 40NM ☐ Multiple
End procedure: STANDARD
○ DMT On ◉ DMT Off

Run date: 1.
Customer: Ben Rothermel 2.
Run ID: 3'DSCR1
Instrument:
Sequence name: WILLIAMS
Sequence: 5' CAG TTC AGC TGA GGT GGA TC 3'
Length 20 4 A 7 G 4 C 5 T
Comments: deliver NB11.208. for PCR off of human cDNA
Tm: 53.7 °C 55.0 % G+C
Cycle: 40nm ☐ Multiple
End procedure: STANDARD
○ DMT On ◉ DMT Off

Tm = 54

Run date: 1.
Customer: 2.
Run ID: 3' HA DSCR1
Instrument:
Sequence name:
Sequence: 5' TAC AGC GTA GTC TGG GAC GTC GTA TGG GTA GCT GAG GTG 3'
Length 47 8 A 21 G 7 C 11 T
Comments: Deliver NB11.208. For PCR of human DSCR1, adds HA tag (N-term.)
Tm: 75.8 °C 59.6 % G+C
Cycle: 40NM ☐ Multiple
End procedure: STANDARD
○ DMT On ◉ DMT Off

how about three more sets of primers?

(17 bp nucleotides) Tm = 54

should be plenty.

Kozak

GCC(A/G)CCAUGG

Oligo 101 102 103

571 1858-088	571 1859-087	571 1671-021
GENOSYS	GENOSYS	GENOSYS
5'DSCR1	3'DSCR1	3'DSCR1-HA
5'-CCACTCTGAAACAGAATGGTG	5'-CAGTTCAGCTGAGGTGGATC	5'-TAGACGTAGTCTGGGACGTCGT ATGGGTAGCTGAGGTGGATCGGCG
11.9OD 367.9µg 56.8nmol	Tm=63.0°C 30.7µg/OD MW=6468	11.8OD 357.5µg 59.7nmol	Tm=62.5°C 31.6µg/OD MW=5984	10.9OD 1295.4µg 98.3nmol	Tm=68.0°C 31.7µg/OD MW=13181

95 - 5 min
95 - 30 sec
30x 55 - 5 sec
65 - ramp 20 sec/deg
55 - ramp 40 sec/deg

4

PCR product should be: ~560 bp in length (for HA version)

will clone into TA vector

what about primers for ZAKI-4 and REX1 ?

ZAKI-4

5' CCA GCC CCT AGC (ATG) GAC TG

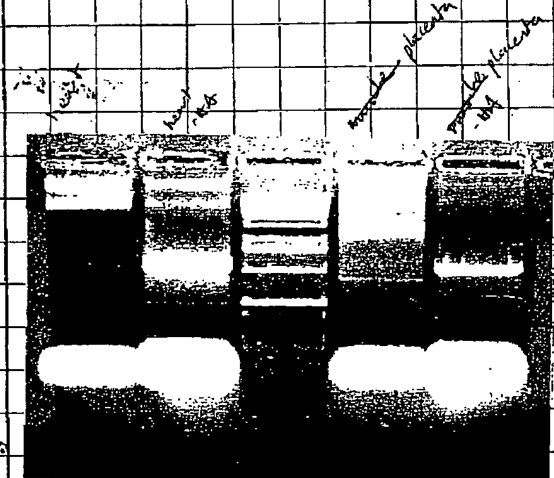
M D

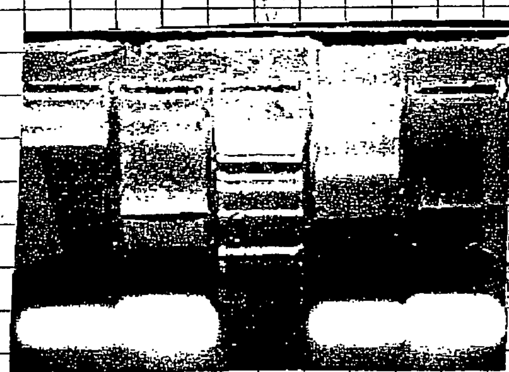
3' AGC TCA GTT GGA CAC GGA GGG TG

stop

3' HA tag

AGC GTA GTC TGG GAC GTC GTA TGG GTA





in the HA lanes I'm getting a major band, but, it's far too long, what are all the very large products I'm getting too?

I'll cut out the ones from the HA lanes and set up a ligation with them, as for the others, I'm not sure what to do with them

pool 1-3 (- HA version)

pool 4-6 (HA version

set-up PCR using 4 + 5 as template (HA primer, 3' primer) and original DNA

#41

new program: 95 - 5 min

30X {
94 - 30 sec
75 - 5 sec
62 - 10 sec ramp - 15 sec
72 - 30 sec
}